

United States District Court
for
the District of Nevada

REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER
Probation Form 49 (Waiver of Hearing) is Attached
April 6, 2020

Name of Offender: **Gerardo Ortega**

Case Number: **2:11CR00396**

Name of Sentencing Judicial Officer: **Honorable Andrew P. Gordon**

Date of Original Sentence: **October 30, 2013**

Original Offense: **Conspiracy to Possess Methamphetamine with Intent to Distribute**

Original Sentence: **120 Months prison, followed by 60 Months TSR.**

Date Supervision Commenced: **May 22, 2020**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

1. **Residential Reentry Center** – You must reside in a residential reentry center for a term of up to 90 days. You must follow the rules and regulations of the center. The subsistence is waived.

CAUSE

By way of case history, Ortega was sentenced to 120 months custody followed by five (5) years supervised release for committing the offense of Conspiracy to Possess Methamphetamine with Intent to Distribute.

Ortega is scheduled to commence supervision on May 22, 2020. He does not have a viable residence to release to. He is working on obtaining his own residence, but it is not likely to occur given the recent pandemic surrounding the COVID-19 virus.

RE: Gerardo Ortega

Prob12B
D/NV Form
Rev. June 2014

As such, we respectfully request Ortega's conditions be modified to include up to 90 additional days at the Residential Re-entry Center (RRC) while he seeks his own residence. Additionally, should he obtain a viable residence, the remaining time at the RRC be held in abeyance.

Ortega is in agreement with the proposed modification as witnessed by his signature on the attached Probation Form 49.

Respectfully submitted,



Matthew S Martinez
2020.04.07 09:24:02
-07'00'

Matthew S. Martinez
United States Probation Officer

Approved:

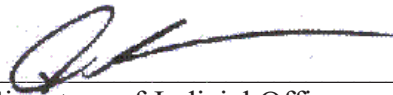


Digitally signed by Brian
Blevins
Date: 2020.04.06 16:23:01
-07'00'

Brian Blevins
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):
-
-



Signature of Judicial Officer

4/7/2020

Date

UNITED STATES DISTRICT COURT

District of Nevada


Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Residential Reentry Center – You must reside in a residential reentry center for a term of up to 90 days. You must follow the rules and regulations of the center. The subsistence is waived.

Witness


U.S. Probation Officer or
Case Manager

Signed


Probationer or Supervised Releasee

Date

4/6/2020